

Message Text

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ACTION IO-13

INFO OCT-01 ISO-00 AF-10 EUR-12 SSO-00 NSCE-00 USIE-00
INRE-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 DHA-02
IOE-00 ACDA-07 /084 W
-----281212Z 027323 /53

O 281005Z APR 77
FM AMEMBASSY CAPE TOWN
TO SECSTATE WASHDC IMMEDIATE 6010
INFO AMEMBASSY BONN IMMEDIATE
AMEMBASSY DAR ES SALAAM
AMEMBASSY GABORONE
AMEMBASSY LAGOS
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY LUSAKA
AMEMBASSY MAPUTO
AMEMBASSY OTTAWA IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY PRETORIA
USMISSION USUN NEW YORK IMMEDIATE

C O N F I D E N T I A L SECTION 1 OF 2 CAPE TOWN 0644

E.O. 11652: GDS
TAGS: PFOR SF US XA
SUBJ: NAMIBIA TALKS

REF: CAPE TOWN 0643

1. CONTACT GROUP MET EARLY THIS MORNING, APRIL 28, AND
AGREED ON FOLLOWING TALKING POINTS FOR THIRD MEETING
WITH SOUTH AFRICANS AT 10 A.M.

2. QUOTE WE HAVE REVIEWED OUR DISCUSSIONS THUS FAR
IN LIGHT OF THE THREE OBJECTIVES WHICH WE SET FORTH IN
OUR INITIAL PRESENTATION. IT IS WITH THESE OBJECTIVES
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IN MIND THAT WE MAKE THE FOLLOWING COMMENTS:

OBJECTIVE NUMBER ONE

(1) WE SEEK SOUTH AFRICA'S AGREEMENT THAT THE
PURPOSE OF FUTURE NEGOTIATIONS SHOULD BE TO DEVELOP AN
INTERNATIONALLY ACCEPTABLE SETTLEMENT OF THE NAMIBIAN
ISSUE CONSISTENT WITH SECURITY COUNCIL RESOLUTION 385.

BY WAY OF ILLUSTRATION, WE SUGGESTED THAT WHILE THE ESSENTIAL ELEMENTS OF 385 MUST BE PART OF AN ACCEPTABLE SOLUTION, THERE WERE A VARIETY OF WAYS IN WHICH THESE MIGHT BE IMPLEMENTED.

(2) WE TAKE IT THAT YOU AGREE ON SOME OF THE ELEMENTS OF 385 AND ACKNOWLEDGE THAT THERE ARE A VARIETY OF WAYS IN WHICH THE PROVISIONS OF 385 CAN BE MET. WE HAVE SOME PRELIMINARY VIEWS ON THE EXTENT TO WHICH YOUR RESPONSES ARE CONSISTENT WITH THE ELEMENTS OF 385.

(3) WE NOTE YOUR RECOGNITION OF THE RIGHT OF THE "INHABITANTS" OF NAMIBIA TO PARTICIPATE IN A FULLY DEMOCRATIC PROCESS IN THE EXERCISE OF THEIR RIGHT OF SELF-DETERMINATION.

(4) WE ALSO NOTE YOUR AGREEMENT ON THE RIGHT OF RETURNEES TO PARTICIPATE FULLY IN THE PROCESS OF SELF-DETERMINATION. WE AGREE ON THE IMPORTANCE OF PEACEFUL PARTICIPATION.

(5) AT LEAST THREE ELEMENTS OF RESOLUTION 385 WERE NOT ADDRESSED IN YOUR RESPONSE:

(A) THE RELEASE OF ALL POLITICAL PRISONERS IN ORDER THAT THEY MAY PARTICIPATE FREELY IN THE ELECTIONS PROCESS;

(B) THE CESSATION OF THE APPLICATION OF ALL LEGISLATION AND REGULATIONS WHICH COULD IMPEDE FULL AND OPEN PARTICIPATION BY ALL NAMIBIANS IN THE ELECTORAL POLITICAL PROCESS; AND

(C) THE ROLE OF THE UNITED NATIONS.

(6) RESOLUTION 385 CALLS FOR ELECTIONS. WE SUGGEST WAYS TO HOLD ELECTIONS FOR A CONSTITUENT ASSEMBLY WHOSE TASK WOULD BE TO DRAW UP A CONSTITUTION. YOU PROPOSE IN CONFIDENTIAL

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PARAGRAPH THREE TO "TEST" WHAT SEEMS TO BE THE TURNHALLE DRAFT CONSTITUTION, A CONSTITUTION WHICH SOME OF THE PARTIES HAD NO PART IN PREPARING; WHOSE DRAFTERS WERE SELECTED ON A BASIS WHICH SOME OF THE PARTIES REJECT,

NAMELY AN ETHNIC BASIS; AND WHICH MAKES THAT ETHNIC BASIS AN INTEGRAL PART OF THE PROPOSED GOVERNMENT. (THESE POSITIONS ARE NOT NECESSARILY INCOMPATIBLE. ONE MIGHT ELECT A CONSTITUENT ASSEMBLY WHOSE TASK, FOR EXAMPLE, COULD BE CONSIDERATION OF THE TURNHALLE CONSTITUTION AND OF OTHER PROPOSALS FOR GOVERNING NAMIBIA.)

(7) RESOLUTION 385 CALLS FOR UN SUPERVISION AND CONTROL OF ELECTIONS. YOU WELCOME "INTERNATIONAL OBSERVATION" INCLUDING THE FIVE POWERS, WITH SIGNIFICANT CONDITIONS, BUT REJECT "OUTSIDE SUPERVISION AND CONTROL" IN PART OUT OF CONCERN ABOUT THE NEUTRALITY OF THE U.N. OUR SUGGESTION FOR U.N. INVOLVEMENT IN THE ELECTION PROCESS REPRESENTS AN INESCAPABLE POLITICAL REALITY. YOU NO DOUBT BASE YOUR POSITION ON SIMILAR CONSIDERATIONS.

WE BELIEVE IT POSSIBLE TO DEVISE MEANS TO ENSURE FAIR
SUPERVISION AND CONTROL BY THE U.N. PERHAPS WITH
PROVISIONS TO REDUCE WHAT YOU MAY SEE AS OBJECTIONABLE
"OUTSIDE" CONTROL.

(8) WE NOTE YOUR CONCERN ABOUT ENSURING RESPONSIBLE
GOVERNMENT DURING THE IMPLEMENTATION OF THE POLITICAL
PROCESS WHICH WE PROPOSE. WE CALL YOUR ATTENTION TO OUR
SUGGESTION THAT IN CONSULTATION WITH THOSE MAINLY INVOLVED,
THE SAG COULD DEVELOP A PLAN FOR ITS WITHDRAWAL IN STAGES
FROM NAMIBIA SO AS TO ASSURE A SMOOTH TRANSFER OF POWER AT
THE END OF THE POLITICAL PROCESS. ELECTIONS PROPERLY
CONDUCTED WOULD REDUCE THE BASA FOR AND LIKELIHOOD OF A
REFUSAL TO ABIDE BY THE DECISIONS OF THE INHABITANTS.
HOWEVER, THE PARTIES MIGHT AGREE ON MEANS TO INSURE RESPECT
FOR THE DECISIONS OF THE PEOPLE AND TO MAINTAIN LAW AND ORDER.

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C O N F I D E N T I A L SECTION 2 OF 2 CAPE TOWN 0644

OBJECTIVE NUMBER TWO

(9) OUR PRESENTATION AND YOUR RESPONSE INDICATE GENERAL
AGREEMENT THAT THERE ARE A VARIETY OF WAYS TO IMPLEMENT THE
PROVISIONS OF 385. IT MERELY CONFIRMS THE IMPORTANCE OF

OUR SECOND OBJECTIVE: WE SEEK SOUTH AFRICA'S COOPERATION IN DEVELOPING A NEGOTIATING PROCESS IN WHICH THE PARTIES PRIMARILY CONCERNED WILL BE PROVIDED WITH THE OPPORTUNITY TO PARTICIPATE IN THE DEVELOPMENT OF ANY SETTLEMENT. WE ARE NOT EMPOWERED TO NEGOTIATE FOR THE PARTIES; WE CAN EXPLORE WAYS OF FACILITATING NEGOTIATIONS.

OBJECTIVE NUMBER THREE

(10) IT IS CLEAR THAT EVEN WITH THE BEST OF
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INTENTIONS AND WITH FULL COOPERATION OF ALL PARTIES, THE PROCESS OF FACILITATING THE PEACEFUL TRANSFER OF POWER TO THE PEOPLE OF NAMIBIA WILL NOT BE EASY. THAT IS WHY, AS A THIRD OBJECTIVE, WE SEEK SOUTH AFRICA'S AGREEMENT THAT ALL PARTIES CONCERNED IN THE NEGOTIATIONS MUST AVOID STEPS WHICH WILL FORECLOSE POSSIBILITIES OF ARRANGING AN INTERNATIONALLY ACCEPTABLE SOLUTION. IN THIS REGARD WE EMPHASIZED THE SERIOUS CONSEQUENCES WHICH MIGHT FOLLOW FROM THE IMPLEMENTATION OF THE TURNHALLE DRAFT CONSTITUTION.

(11) WE TAKE IT THAT YOUR SUGGESTION THAT SOUTH AFRICA MAY BE PREPARED TO REFRAIN FROM PARLIAMENTARY ACTION ON THE TURNHALLE CONSTITUTION BUT INSTEAD MAKE SOME "ADMINISTRATIVE RE-ARRANGEMENTS" WAS, IN PART, DESIGNED TO MEET THIS CONCERN.

(12) WE FULLY APPRECIATE THAT YOU MAY NOT HAVE HAD SUFFICIENT TIME TO PROVIDE US WITH THE DETAILS OF YOUR PROPOSALS AND WE MUST RESERVE OUR COMMENTS UNTIL THOSE DETAILS ARE AVAILABLE. AT THIS STAGE WE CAN MAKE THESE OBSERVATIONS:

(A) TO THE EXTENT THAT YOUR PROPOSAL FOR "ADMINISTRATIVE RE-ARRANGEMENTS" INTRODUCES CHANGES IN LINE WITH THE SUBSTANTIVE CONTENT OF THE TURNHALLE DRAFT CONSTITUTION, IT WILL SURELY FURTHER COMPLICATE OUR SEARCH FOR AN INTERNATIONALLY ACCEPTABLE SOLUTION. THIS WILL BE TRUE HOWEVER TEMPORARY IN A JURIDICAL SENSE THE "ADMINISTRATIVE RE-ARRANGEMENT" BE; AND

(B) TO THE EXTENT THAT YOUR PROPOSAL IS INDEED MERELY AN "ADMINISTRATIVE RE-ARRANGEMENT," IT MAY NOT OVERLY FURTHER COMPLICATE OUR TASK; HOWEVER, THE POSSIBILITY OF REACHING AN INTERNATIONALLY ACCEPTABLE SOLUTION IS ALREADY SUFFICIENTLY FRAGILE THAT THE LAUDABLE OBJECTIVES WHICH WE UNDERSTAND IS YOUR PURPOSE MIGHT BEST BE SERVED BY DELAY. UNQUOTE.BOWDLER

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Message Attributes

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